

RESPONSE

This response is submitted in accordance to the Examiner action stated above, and a telephonic conversation between the Examiner, the Examiner's supervisor, and the Applicant on January 8, 2008.

Claim Rejections – 35 USC § 112

The following changes have been made in accordance to the Examiner action relative to composition of claim 1, and certain Markush language issues in claims 3, 7, and 13.

The Examiner is correct (page 4, line 12-14) in stating, "it appears that the applicant intended to claim 1 composition where the zinc zeolite is the deodorizing agent and is present along with other components".

Claim 1 has been currently amended to include a carrier base as an additional component. This claim now reads as per noted below.

1. (Currently Amended). A deodorizing agent consisting of (a) zinc zeolite, and (b) a carrier base.

Claims 2 and 3 have now been canceled.

2. (Canceled). ~~An agent according to claim 1, wherein zinc zeolite is selected from a hydrated or an anhydrous form.~~
3. (Canceled). ~~An agent according to claim 1, wherein a carrier base is included.~~

Claim 4 is not changed.

4. (Previously Presented). An agent according to claim 1, wherein said agent contains Zinc Zeolite from 0.01% to 100%.

Claim 5 has now been canceled.

5. (Canceled). ~~An agent according to claim 1, wherein zinc zeolite is selected from an in-situ generated process or in a pre-manufactured form.~~

Claim 6 has been currently amended to make it dependent on claim 1, and also the word “comprising” has been replaced by the word “consisting”.

6. (Currently Amended). An agent according to claim 1, wherein said carrier base includes additional ingredients selected from the group consisting of skin cleansers, cationic surfactants, anionic surfactants, non-ionic surfactants, amphoteric surfactants, and zwitterionic surfactants, skin and hair conditioning agents, vitamins, hormones, minerals, plant extracts, anti-inflammatory agents, whitening agents, deodorants, odor masking agents, antiperspirants, collagen and elastin synthesis boosters, UVA/UVB sunscreens, concentrates of plant extracts, emollients, moisturizers, skin protectants, humectants, silicones, skin soothing ingredients, antimicrobial agents, antifungal agents, treatment of skin infections and lesions, blood microcirculation improvement, skin redness reduction benefits, additional moisture absorbents, analgesics, skin penetration enhancers, solubilizers, moisturizers, emollients, anesthetics, colorants, perfumes, preservatives, seeds, broken seed nut shells, silica, clays, beads, luffa particles, polyethylene balls, mica, pH adjusters, processing aids, and combinations thereof.

Claim 7 has been currently amended to make it dependent on claim 1, and also the word “comprising” has been replaced by the word “consisting”.

7. (Currently Amended). An agent according to Claim 1, wherein said carrier base is additionally selected from the group consisting of a lotion, cream, gel, spray, thin liquid, body splash, powder, compressed powder, tooth paste, tooth powder, mouth spray, paste dentifrice, clear gel dentifrice, mask, serum, solid cosmetic stick, lip balm, shampoo, liquid soap, bar soap, bath oil, paste, salve, collodion, impregnated patch, impregnated strip, skin surface implant, impregnated or coated diaper,

Claim 8 has now been canceled.

8. (Canceled). ~~An agent according to claim 1, wherein carrier base is additionally selected from the group consisting of traditional water and oil emulsions, suspensions, colloids, microemulsions, clear solutions, suspensions of nanoparticles, emulsions of nanoparticles, or anhydrous compositions.~~

Claim 9 has now been canceled

9. (Canceled). An agent according to claim 1, wherein said carrier base is additionally selected from the group consisting of human body or hair deodorizing solution, deodorizing powder, deodorizing gel, deodorizing spray, deodorizing stick, deodorizing roll-on, deodorizing paste, deodorizing cream, deodorizing lotion, or a deodorizing aerosol.

Claim 10 has now been canceled

10. (Canceled). An agent according to claim 1, wherein the carrier base is additionally selected from the group consisting of household deodorizing solution, deodorizing powder, deodorizing gel, deodorizing spray, carpet deodorizer, or a room deodorizer.

Claim 11 has now been canceled.

11. (Currently Amended). An agent according to claim 1, wherein the carrier base is additionally selected from the group consisting of an animal deodorizing solution, deodorizing powder, deodorizing gel, deodorizing spray, animals carpet deodorizer, or animals and pets room deodorize.

Claim 12 has now been canceled.

12. (Canceled). An agent according to claim 1, wherein the carrier base is additionally selected from the group consisting of a human or animal deodorizing dentifrice, or oral cavity deodorizing toothpaste, deodorizing mouthwash, deodorizing dental powder, deodorizing mouth spray, deodorizing dental gel, or deodorizing lozenges.

Claim 13 has been currently amended to make it dependent on claim 1.

13. (Currently Amended). An agent according to claim 1, wherein said carrier base is a solid cosmetic stick.

Claim 14 is Currently Amended.

14. (Currently Amended). An agent according to claim 6, wherein said additional ingredient is a moisturizer.

Claim 15 is Currently Amended.

15. (Currently Amended). A composition according to claim 14, wherein said moisturizer is glycerin.

In addition, claims 16 and 17 are New.

16. (New). An agent according to claim 7, wherein said carrier base is a solid cosmetic stick.
17. (New). An agent according to claim 14, wherein said moisturizer is glycerin.

A complete listing of all claims is provided separately.

Claim Rejections – 35 USC § 102

Berry et al (US Patent No. 3,654,185) teaches the preparation or synthesis of zinc zeolite and its application as a catalyst in chemical synthesis. It does not teach the combination of zinc zeolite and a carrier base (claim 1, currently amended), which includes additional ingredients or agents. Claim 2 (hydrated or anhydrous forms) and claim 5 (in situ process) have now been canceled.

Double Patenting

In response to an office action dated September 10, 2007, claim 1 of the copending patent application number 10/710011 has been amended in a response submitted on November 5, 2007 as follows:

1. (Currently Amended). A UV absorbing agent consisting of; (i) a zinc zeolite, or (ii) a titanium zeolite, or (iii) a combination thereof.

This copending application does not claim a combination of zinc zeolite and a carrier base, which contains additional agents or ingredients.

Coopending patent application number 11/760466 claims as follows:

1. A cosmetic or pharmaceutical composition comprising; (i) a divalent metal complex of zeolite and, (ii) wherein said composition is for the treatment of diaper dermatitis.

This copending application does not claim a combination of zinc zeolite and a carrier base, which contains additional agents or ingredients.

The Applicant hopes the Examiner finds these actions satisfactory.



Applicant
January 8, 2008